

House File 448 - Introduced

HOUSE FILE 448

BY ANDERSON

A BILL FOR

1 An Act relating to aiding and abetting the commission of a
2 criminal offense.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 703.1, Code 2013, is amended to read as
2 follows:

3 **703.1 Aiding and abetting.**

4 1. All Except as provided in subsection 2, all persons
5 concerned in the commission of a public offense, whether they
6 directly commit the act constituting the offense or aid and
7 abet its commission, shall be charged, tried and punished as
8 principals. The guilt of a person who aids and abets the
9 commission of a crime must be determined upon the facts which
10 show the part the person had in it, and does not depend upon
11 the degree of another person's guilt. A person's act that is
12 merely incidental to the commission of an act constituting a
13 public offense is not aiding and abetting under this section.

14 2. A person shall not be criminally liable for the behavior
15 of another that constitutes a public offense if the person
16 is also a victim of that public offense unless specified by
17 statute.

18 EXPLANATION

19 This bill relates to aiding and abetting the commission of a
20 criminal offense.

21 The bill specifies that a person does not aid and abet the
22 commission of a criminal offense if the conduct of the person
23 is incidental to the commission of the offense.

24 The bill also specifies that a person shall not be criminally
25 liable for the behavior of another that constitutes a criminal
26 offense if the person is also a victim of that offense unless
27 specified by statute defining the public offense.

28 Under current law, a person accused of aiding and abetting
29 the commission of a criminal offense shall be charged, tried,
30 and punished in the same manner as others who also committed
31 the offense.